

**Amendment No. 1 to HB3666**

**Coleman**  
**Signature of Sponsor**

**AMEND Senate Bill No. 3909**

**House Bill No. 3666\***

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-13-402, is amended by deleting subsection (b) and substituting instead the following:

(b)

(1) Except as otherwise provided in this subsection, aggravated robbery is a Class B felony.

(2) Aggravated robbery under subsection (a)(1) is a Class B felony, punishable by a mandatory minimum ten-year sentence to the department of correction if the person possessed a firearm with the intent to go armed during the commission of or attempt to commit the offense.

(3) Aggravated robbery under subsection (a)(1) is a Class B felony, punishable by a mandatory minimum twenty-year sentence to the department of correction if the person discharged a firearm during the commission of, attempt to commit, or flight or escape from the commission of the offense.

(4) If the possession or discharge of a firearm during the commission of, attempt to commit, or flight or escape from the commission of an aggravated robbery results in the death of or serious bodily injury to another, aggravated robbery is a Class A felony, punishable by a mandatory minimum twenty-five-year sentence and not more than imprisonment for life in the department of correction.

SECTION 2. Tennessee Code Annotated, Section 40-35-501, is amended by adding the following new subsection (s):

(s) There shall be no release eligibility for a person committing an aggravated robbery and sentenced under § 39-13-402(b)(2), (3) or (4) on or after July 1, 2008, until the person has served one hundred percent (100%) of the minimum mandatory sentence established in § 39-13-402(b)(2), (3) or (4), and imposed by the court less sentence credits earned and retained. However, no sentence reduction credits authorized by § 41-21-236, or any other law, shall operate to reduce the mandatory minimum sentence imposed by the court by more than fifteen percent (15%).

SECTION 3. This act shall effect on July 1, 2008, the public welfare requiring it and shall apply to any person committing a violation of § 39-14-402, on or after such date.